

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

By this amendment, claims 50-97 have been canceled, claims 1-50 were previously canceled, and claims 98-109 have been added. Claims 98-109 are pending.

Claims 50-97 were rejected under 35 USC § 103(a) as being unpatentable over Halbert-Lassalle in view of Lawrence. This rejection is traversed and is believed to be inapplicable to new claims 98-109.

Independent claims 98, 100, 104, and 106 each recite "a modulator operable to modulate (or a method of modulating) a data stream to an n-level PSK or QAM modulated signal" and that "the modulator (or modulating) is capable of changing the value of n." Similarly, independent claims 102 and 108 recite that "the value of n is changeable."

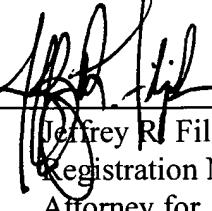
The support for the above recited features is found in the specification, page 140, line 23 to page 141, line 10. According to the present invention as shown in Fig. 120(b), time slot A shown in Fig. 120(a) is changed to time slots A1.2 and A2.1 for data D1. Time slot A is for QPSK, but time slots A1.2 and A2.1 are for 16SRQAM. Thus, from time slot S to time slot A, in the present invention, the value of n is changed from 4 to 16. Furthermore, time slot D in Fig. 120(a) is changed to time slots D1.1, D2.1 and D3.1 for data D1. These time slots are for 64SRQAM. Thus, from time slot c to time slot D, in the present invention, value n is changed from 4 to 64. The data D1, D2 and D3 shown in Fig. 120(b) is processed in modulator 4.

The above features are not disclosed or suggests by Halbert-Lassalle or Lawrence. Therefore, it is submitted that it would not have been obvious to a person having ordinary skill in the art at the time of invention to combine the disclosures of Halbert-Lassalle and Lawrence in such a manner that the apparatuses or methods recited in claims 98-109 of the present application would result. Therefore, it is submitted that claims 98-109 are allowable over the prior art of record and that the application is in condition for allowance.

The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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